United Nations A/68/312

General Assembly

Distr.: General
28 August 2013

Original: English

Sixty-eighth session
Item 115 (c) of the provisional agenda*
Elections to fill vacancies in subsidiary organs and other elections: election of 14 members of the Human Rights Council

Note verbale dated 27 August 2013 from the Permanent Mission of Viet Nam to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations presents its compliments to the President of the sixty-seventh session of the General Assembly and has the honour to inform him that the Government of the Socialist Republic of Viet Nam has decided to present its candidature for membership in the Human Rights Council for the term 2014-2016 at the elections to be held in New York in November 2013. This is the first time Viet Nam is seeking a membership to the Human Rights Council and its candidature has been endorsed by Association of Southeast Asian Nations (ASEAN) member States.

In this regard, the Government of Viet Nam has the honour to submit an aide-memoire containing voluntary pledges and commitments assumed by Viet Nam to contribute to the promotion and protection of human rights, in accordance with resolution 60/251 of the General Assembly (see annex). The Permanent Mission of Viet Nam to the United Nations would be grateful if the present note verbale and its annex, could be included in the final document to be produced for the forthcoming elections and circulated to Member States.

* A/68/150.

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Annex to the note verbale dated 27 August 2013 from the Permanent Mission of Viet Nam to the United Nations addressed to the President of the General Assembly

Viet Nam's candidacy to the United Nations Human Rights Council for the term 2014-2016: voluntary pledges under resolution 60/251

The Government of the Socialist Republic of Viet Nam has decided to put forward its candidacy to the United Nations Human Rights Council for the term 2014-2016 at the elections to be held in November 2013 during the sixty-eighth session of the United Nations General Assembly.

Viet Nam is the only candidate among ASEAN member States. It has never served on the Human Rights Council, despite its capacity to contribute to the work of the Council. Therefore, opportunities should be given to countries like Viet Nam. Building on the achievements and experience resulting from 26 years of comprehensive reform known as "Doi moi", based on the three pillars of economic growth, social progress and equity, and human rights, Viet Nam wishes to join the Human Rights Council in order to share that experience and contribute more actively to the joint efforts of the Council and the international community at large, with a view to better promoting and protecting human rights worldwide.

As provided for in General Assembly resolution 60/251, Viet Nam undertakes the following voluntary pledges.

I. Promotion and protection of human rights at the national, regional and international levels

At the national level

In Viet Nam, the people are the ultimate goal and the engine of development. Every policy aims at serving the people. The consistent policy of the State of Viet Nam on ensuring human rights stems from the earnest aspiration of the people of a former colony to enjoy civil and political rights and of the people of poor countries to enjoy economic, social and cultural rights. Respect for and promotion of human rights also form an essential element in achieving sustainable development, as clearly manifested in the Constitution and relevant laws, in their implementation mechanisms and in practice.

All economic, cultural, social, political and civil rights of the person are fully provided for in the Viet Nam Constitution. The contents of these fundamental and universal human rights have been continually concretized and improved in laws and by-laws, in accordance with the spirit and standards enshrined in the Universal Declaration of Human Rights. This provides a solid legal framework for the formulation of policies, strategies and development plans for the fundamental rights and freedoms of the people.

The mechanisms for the promotion and protection of human rights in Viet Nam are developed in accordance with the principle of a rule-of-law State of the people, by the people and for the people under the motto "people know, people discuss,

people do, people check". It is the people who decide all matters of State and society, have rights and enjoy favourable conditions to actively participate in the affairs of State and society through the National Assembly, national authorities at all levels and political-social organizations. Through these mechanisms, their rights are guaranteed from policy planning to implementation and monitoring. Viet Nam has implemented, in a uniform manner, socioeconomic development strategies, legal, judiciary and administrative reforms, and has strengthened the grass-roots democracy regime in order to better meet the rights and fundamental freedoms of the people.

The rights and fundamental freedoms of the people are respected and ensured in an increasingly effective and full manner, particularly in the following areas:

(a) In the past 5 years, annual economic and GDP growth has been maintained at a high level of around 6 per cent, while 8 million new jobs have been created, the urban unemployment rate has fallen to 4.5 per cent, the poor household rate has been reduced to 9.5 per cent, social security has been strengthened and enjoyment of health services increased, particularly for children, the poor people and ethnic minorities. The Human Development Index has continuously increased. Viet Nam has achieved many of the Millennium Development Goals ahead of schedule and is on track to reach the remaining ones;

(b) In addition to these achievements, the participatory processes and voice of the people has been enhanced. The rights of the people are better ensured through better implementation of direct democratic rights (right to vote and right to stand for elections), indirect democratic rights (through elected organs, such as the National Assembly and the People's Councils at all levels), the right to express opinions and improved operation of complaint and denunciation mechanisms. The information and press services in Viet Nam have greatly increased both in quantity and type. The access and application of information technology and the Internet have also rapidly developed, and Viet Nam is considered by United Nations specialized agencies as one of the leading countries in this area. The faith and religious activities have become more diverse and vivid, with the development of all major world religions and endogenous religions and faiths in terms of the number of organizations and followers, religious facilities, places of worship, training facilities, publications, etc.

At the global and regional levels

Viet Nam implements a foreign policy based on independence, self-reliance and comprehensive international integration for peace, cooperation and development. Viet Nam actively participates, in a constructive and responsible spirit, in international and regional cooperation, multilaterally and bilaterally, in all areas, including the protection and promotion of human rights.

Viet Nam is a party to eight important international treaties relating to human rights, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (Viet Nam was the first Asian country to ratify this Convention). In addition, Viet Nam is a party to 18 conventions of the International Labour Organization. Viet Nam has always respected and implemented seriously the international human rights treaties, to which it is a State party.

Viet Nam has also cooperated well with the treaty bodies and fulfilled its periodic reporting obligations. In 2012, Viet Nam presented periodic reports to the Committees on the Elimination of Racial Discrimination and the Rights of the Child, while also preparing a report on the implementation of the International Covenant on Economic, Social and Cultural Rights; in 2013, a report will be presented on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

In December 2011, Viet Nam ratified the United Nations Convention on Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Viet Nam is now carrying out ratification procedures with regard to the Convention on the Rights of Persons with Disabilities and considering its accession to the Convention against Torture. In addition, Viet Nam voted in favour of a resolution on a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons and will proactively engage in the formulation of this instrument.

Viet Nam has actively engaged in international activities on human rights within the United Nations bodies and forums. Viet Nam was a member of and contributed actively to the work of the Commission on Human Rights (2001-2003), the Economic and Social Council (2000-2002), the Commission for Social Development (2002-2004 and 2012-2014) and the Security Council (2008-2009). Within the Security Council, Viet Nam presided over the negotiations on the presidential statement entitled "Children and armed conflict" and resolution 1889 (2009) entitled "Women and peace and security".

Viet Nam attaches special importance to and actively participates in the work of the Human Rights Council. Viet Nam values the Universal Periodic Review (UPR) as an effective process to share information and experience and enhance mutual understanding among countries, thus helping to promote and protect human rights. Viet Nam presented its first UPR report in 2009, which was much welcomed by Member States and the Council thanks to its diverse content and constructive approach. Viet Nam accepted 93 of the 123 UPR Working Group recommendations (nearly 80 per cent) and is actively implementing those recommendations. Viet Nam has enhanced dialogue and cooperation with special procedures. In addition to replying in a timely manner to all communications since July 2010, Viet Nam has received four special procedures on minority issues, extreme poverty and human rights, the effects of foreign debt on human rights and the right to health. Viet Nam will receive additional special procedures on the right to education and the right to food as committed.

Viet Nam has contributed to strengthening solidarity and cooperation within ASEAN, including human rights cooperation, particularly in the development of the ASEAN Charter and the ASEAN Community building process, and the establishment and operation of the ASEAN Intergovernmental Commission on Human Rights (AICHR). In 2010, as Chair of ASEAN and AICHR, Viet Nam took the lead in formulating AICHR's five-year workplan, improving its working methods and promoting cooperation with ASEAN partners, including the United Nations. Viet Nam also worked actively with other members in drafting the ASEAN Human Rights Declaration. This Declaration, approved at the ASEAN Summit in November 2012, reaffirmed the ASEAN commitment to human rights, in line with internationally recognized norms and standards. The Declaration creates the

framework for ASEAN cooperation to promote and protect human rights in the region.

Viet Nam has, lastly, enhanced bilateral cooperation and dialogue in human rights with partner countries to share information and experience in order to better ensure human rights in Viet Nam and relevant countries. Viet Nam holds annual human rights dialogues with Australia, the European Union, Norway, Switzerland and the United States, the outcomes of which are positively appreciated.

II. Viet Nam's voluntary commitments as a member of the Human Rights Council

1. Adopt policies and measures and increase resources to better ensure all fundamental economic, social, cultural, civil and political human rights in line with internationally recognized norms.

2. Achieve the Millennium Development Goals.

3. Continue to improve the legal and judicial systems, build a rule-of-law State and strengthen national institutions protecting human rights, including the possible establishment of a national human rights institution.

4. Adopt policies and measures and increase resources to ensure social security, welfare and justice, particularly the rights of vulnerable groups, such as women, children, the elderly, people with disabilities and ethnic minorities.

5. Promote human rights education and training to improve the awareness and capacity of law-enforcement agencies to better ensure peoples' rights and fundamental freedoms.

6. Continue to implement the recommendations that Viet Nam has accepted in the first UPR cycle in 2009, and to participate in a responsible and constructive manner in the second UPR cycle.

7. Strengthen grass-roots democracy and the people's involvement in the planning and execution of policies, and improve Viet Nam's engagement with political, social organizations working in the field of human rights.

8. Participate in an active, constructive and responsible manner in the work of the Council to contribute to strengthening the Council's efficiency and effectiveness, transparency, objectivity and balance, in the spirit of dialogue and cooperation.

9. Strengthen cooperation and dialogue with United Nations human rights mechanisms, particularly treaty bodies and Office of the United Nations High Commissioner for Human Rights special procedures, including possible invitations for additional country visits to Viet Nam.

10. Support and actively participate in intergovernmental consultations on improving the capacity and effectiveness of human rights treaty bodies.

11. Participate in and contribute to the promotion of ASEAN human rights cooperation, particularly in the AICHR framework and in the implementation of the ASEAN Human Rights Declaration.

12. Maintain bilateral human rights dialogue and cooperation mechanisms with partner countries, with the common goal of promoting and protecting human rights in the world.

13. Complete procedures for early accession to the Convention against Torture.

14. Complete procedures for the ratification of the Convention on the Rights of Persons with Disabilities.